

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

JAMES HARRISON NEWCOMER,

Defendant.

Case No. MJ24-363 BAT

DETENTION ORDER

Defendant James Harrison Newcomer is charged with travel with intent to engage in a sexual act with a minor, 18 U.S.C. §§ 2423(b), 2246(2)(A), 2246(2)(B). The Court held a detention hearing on June 20, 2024, pursuant to 18 U.S.C. § 3142(f)(1), and based upon the reasons for detention stated in the record and as hereafter set forth below, finds:

FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

1. The government is entitled to a detention hearing pursuant to 18 U.S.C. § 3142(f)(1), as Mr. Newcomer is charged with a crime that involves a minor victim.
2. There is a rebuttable presumption that no condition or combination of conditions will reasonably assure the appearance of the person as required and the safety of

1 the community pursuant to 18 U.S.C. § 3142(e).

2 3. Taken as a whole, the record does not effectively rebut the presumption that no
3 condition or combination of conditions will reasonably assure the appearance of
4 Mr. Newcomer as required and the safety of the community.

5 4. Mr. Newcomer stipulated to detention until he can secure a release plan.

6 5. Mr. Newcomer was not interviewed by Pretrial Services. Therefore, there is
7 limited information available about him.

8 6. Mr. Newcomer poses a risk of nonappearance due to recent history of absconding
9 during supervision, significant history of supervision violations, history of failing
10 to appear, potential substance use concerns, and pending charge.

11 7. Mr. Newcomer poses a risk of danger due to the nature of the instant offense,
12 potential substance use concerns, and pattern of similar criminal conduct. In
13 addition, the instant offense is alleged to have occurred while the defendant was
14 on abscond status from state supervision for a similar offense.

15 8. Based on these findings, and for the reasons stated on the record, there does not
16 appear to be any condition or combination of conditions that will reasonably
17 assure Mr. Newcomer's appearance at future court hearings while addressing the
18 danger to other persons or the community.

19 IT IS THEREFORE ORDERED:

20 (1) Mr. Newcomer shall be detained pending trial, and committed to the custody of
21 the Attorney General for confinement in a correction facility separate, to the
22 extent practicable, from persons awaiting or serving sentences or being held in
23 custody pending appeal;

- 1 (2) Mr. Newcomer shall have no direct or indirect contact with Minor Victims 1, 2,
2 and 3.
- 3 (3) Mr. Newcomer shall be afforded reasonable opportunity for private consultation
4 with counsel;
- 5 (4) On order of a court of the United States or on request of an attorney for the
6 government, the person in charge of the corrections facility in which Mr.
7 Newcomer is confined shall deliver Mr. Newcomer to a United States Marshal for
8 the purpose of an appearance in connection with a court proceeding; and
- 9 (5) The Clerk shall direct copies of this Order to counsel for the United States, to
10 counsel for Mr. Newcomer, to the United States Marshal, and to the United States
11 Pretrial Services Officer.

12 Dated this 20th day of June, 2024.

13
14 
15 MICHELLE L. PETERSON
16 United States Magistrate Judge
17
18
19
20
21
22
23